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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/386,330	08/30/1999	ATSUSHI OKADA	862.3001	1300

5514 7590 12/03/2002

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NEW YORK, NY 10112

EXAMINER

HAQ, NAEEM U

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 12/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/386,330

Applicant(s)

OKADA ET AL.

Examiner

Naeem Haq

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-15 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This action is in response to the Applicants' amendment, paper number 8, filed on October 15, 2002. Claims 6 and 16 have been canceled. Claims 1-5, 7-15, and 17 are pending and will be considered for examination.

Information Disclosure Statement

The information disclosure statement filed 2-17-02 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 invokes 112, 6th paragraph by reciting, "selecting means for selecting..." and "input means for inputting..." However, the

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specification does not provide structural support for these limitations. For this reason claims 1-9 are rendered indefinite. For examination purposes, the examiner will assume that these limitations refer to any structure capable of performing the recite functions.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 4, 7-10, 13-15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiecha (US Patent 5,870, 717) in view of Doyle et al (US Patent 5,694,551). Wiecha discloses a system and method for ordering items over a computer network using an electronic catalog comprising:

- A display means for displaying the information;
- A database with pre-approved catalogs for the user;
- A purchase approving means capable of storage of approval or rejection;
- A selecting means for selecting a desired article;
- An input means for inputting information representing approval or rejection of selected item;
- A user is notified of notified of price changes;
- Inputting the information about the wanted item;
- List of approvers;
- The deleting of a line item once an order has been placed with the vendor;

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- Uses an internet browser on the client terminal;
- Uses an intranet; and Program code.

Wiecha does not disclose displaying the items of information in a list window capable of displaying the articles as a list. However, Doyle teaches displaying a vendor's catalog of items as a list (Figure 13; column 5, lines 21-26). Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the teachings of Doyle into the system and method of Wiecha. One of ordinary skill in the art would have been motivated to do so in order to use a well-known technique of displaying items.

Claims 2, 3, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiecha and Doyle in view of Langhans et al (US Patent 5,500,513). Wiecha and Doyle lack a group identifier. However, Langhans teaches the use of a division identifier. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Wiecha with a division identifier as taught by Langhans in order to facilitate the approval process. It behooves the approver to know what the requester does in order to determine if the request pertains to the work of the requester.

Claims 2-5, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiecha and Doyle in view of Barnes et al (US Patent 5,970,475).

Barnes discloses purchasing control system comprising:

- A hierarchical structure identifier;
- Means to adjust the hierarchy;

- Department adjuster;
- Level of "authorization defining pre-selected goods/services that the user has available for viewing from said supplied catalog";
- Users having access to different areas depending on the tasks they perform;
- Purchase approving means notifying a user that a purchase price exceeds a predetermined limit;

Wiecha lacks the explicit disclosure of:

- The ranking of employees, and
- The determining the catalog based on the ranking.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Wiecha and Doyle with the means to rank employees as taught by Barnes in order to determine which employees were able to aid the approver in approving the request. It would also have been obvious to one of ordinary skill in the art at the time of the invention to provide Wiecha and Doyle with limiting the catalog for certain users as taught by Barnes in order to save time by limiting what a user could see in the vendor's catalog. Finally it would have been obvious to one of ordinary skill in the art at the time of the invention to provide Wiecha and Doyle with a means of notifying a user that a spending limit had been exceeded in order to ensure that a user did not exceed his or her limit.

Response to Arguments

Applicant's arguments filed October 15, 2002 have been fully considered but they are not persuasive.

The applicants have argued that Wiecha does not teach or suggest deleting line items in response to input of information representing approval of the purchase of a selected article. The examiner respectfully disagrees. As noted in the First Action, Wiecha teaches deleting of a line item once an order has been placed with a vendor. Therefore the input of information representing approval of the purchase is inherent in the system and method of Wiecha since an order cannot be placed with a vendor unless it has been approved.

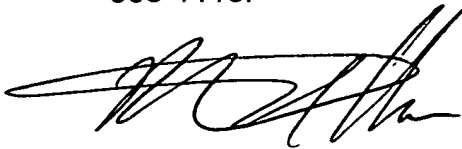
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (703)-305-3930. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (703)-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-305-7687 for regular communications and (703)-305-7687 for After Final communications.

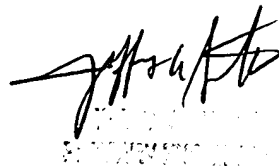
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1113.

A handwritten signature in black ink, appearing to read 'Naeem Haq', with a stylized, flowing script.

Naeem Haq, Patent Examiner
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November 26, 2002

A handwritten signature in black ink, appearing to read 'Jeffrey A. ...', with a rectangular stamp below it containing the text 'RECEIVED' and 'NOV 27 2002'.